

Mark S. Zearfaus, Esquire

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May 16, 2019

Auburn Schwartz
Bedford County Prison
425 Imlertown Road
Bedford, PA 15522

Dear Auburn:

I just wanted to tell you that it did make me feel very bad to have to ask for a competency evaluation for you. You do seem to understand a lot --- but you are also wrong about a lot and not open to seeing reality.

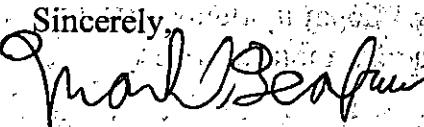
You were not raped but police officers and you do not have a lawsuit against Bedford County in federal court in Philadelphia.

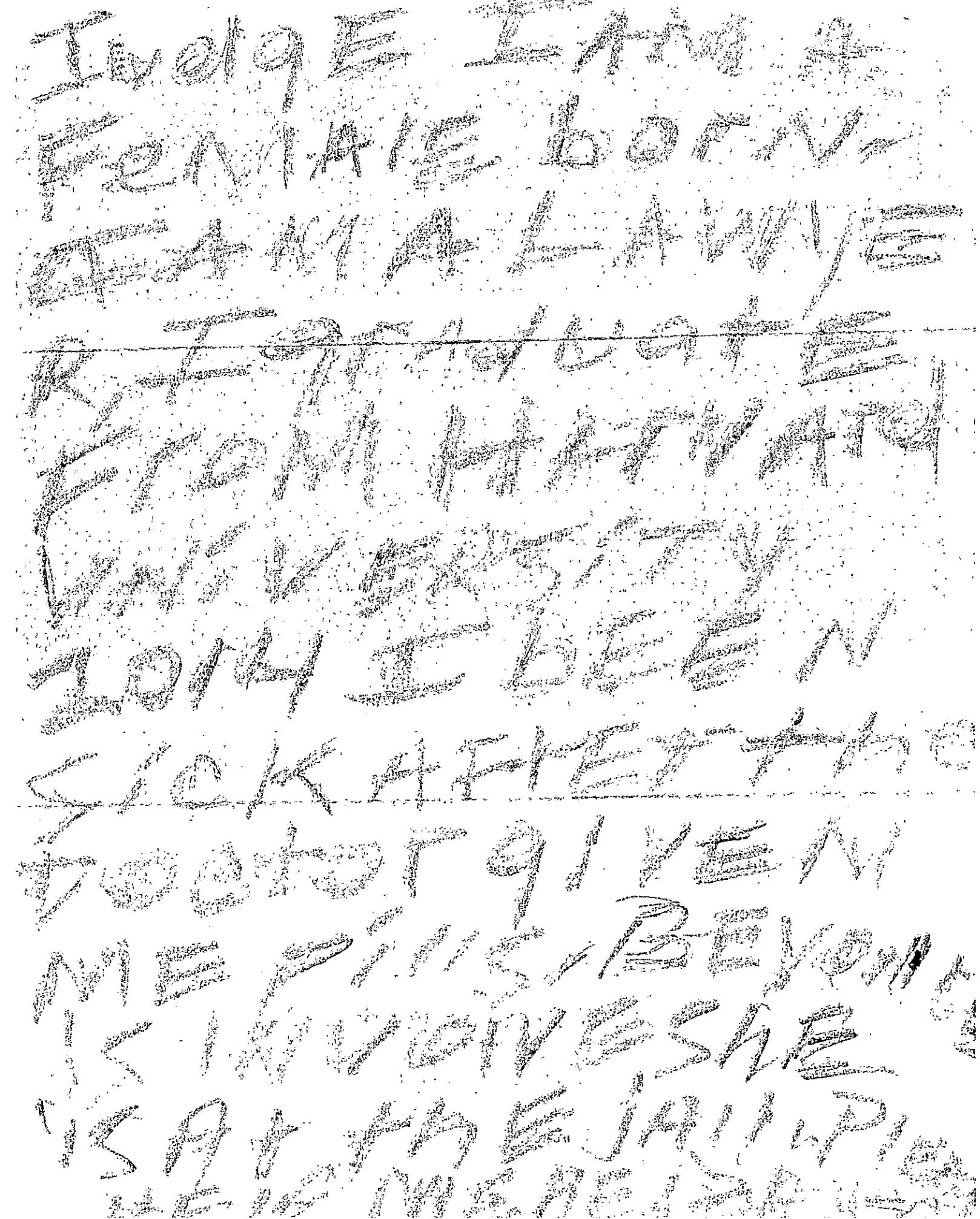
I want to work with you on this case; but you have to work with me. The way you act is just holding you up a whole lot. Even though you have no history with mental health ---- it is very apparent to me that you need to begin at this point in your life.

I heard you went crazy at the jail when they had to search you after court. I know that is not pleasant; but you really do have to be cooperative to avoid more charges being filed against you. I do not want to see you penned up in jail any longer than you have to be; but your own actions holding up your case.

You will be moved to Torrance State Hospital. Please be cooperative --- even though it may be unpleasant or something you do not want to do. I need to make sure you are competent to stand trial and that you can work with your attorney to defend yourself against these charges.

Sincerely,


Mark Zearfaus, Esquire



COMMONWEALTH OF PENNSYLVANIA
COUNTY OF BEDFORD

Rescheduling Notice

Mag. Dist. No: MDJ-57301
 MDJ Name: Honorable Tonya M. Osman
 Address: 1563 Market Street
 P.O. Box 58
 Schellsburg, PA 15559
 Telephone: 814-733-4375

Auburn NMN Schwartz:

Commonwealth of Pennsylvania

v.
Auburn NMN Schwartz

Docket No: MJ-57301-CR-C000034-2019
 Case Filed: 2/27/2019
 Comp/Cit #: PA19249890
 OTN/LOTN: X 241251-3/X 241251-3

Charges	
42 § 5001(d)	Resist Arrest/Other Law Enforcement
18 § 3503 §§ B11	Det Tries Actual Communication
18 § 3929 §§ A1	Retail Theft-Take Mdse

4 counts

A Preliminary Hearing was previously scheduled on March 13, 2019 / 9:00 AM in the above-captioned case. It has been rescheduled to be held on/at:

Date: Wednesday, March 27, 2019	Place: Bedford County Central Court, 200 South Julian Street - 6th Floor Bedford, PA 15522 814-652-2523
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Continuance requested by Auburn NMN Schwartz
 Reason: Defendant Not Ready.

Comments: Preliminary hearing continued to have counsel appointed.

Notice To Defendant

A complaint has been filed charging you with the offense(s) set forth above and on the attached copy of the complaint. If you fail to appear at the time and place above without cause, you will be deemed to have waived your right to be present at any further proceedings before the Magisterial District Judge and the case will proceed in your absence. If any of the charges against you are held for court, a request for a bench warrant against you will be transmitted to the Court of Common Pleas.

At the preliminary hearing you may:

1. Be represented by counsel;
 2. Cross-examine witnesses and inspect physical evidence offered against you;
 3. Call witnesses on your behalf other than witnesses to testify to your good reputation or other evidence on your behalf and testify;
 4. Make written notes of the proceeding, or have your counsel do so, or make a statement to me, handwritten, or electronic record of the proceedings.
- If the case is held for court and you fail to appear without cause at any proceeding at which your presence is required, including trial, your absence may be deemed a waiver of your right to be present at the proceeding, including the trial, if conducted in your absence.

If you cannot afford to hire an attorney, one may be appointed to represent you. Please contact the office of the Magisterial District Judge for additional information regarding the appointment of an attorney. If you have any questions, please call the above office immediately. Should you fail to appear for your preliminary hearing, a warrant will be issued for your arrest.

March 13, 2019

Date

Magisterial District Judge Kathy S. Calhoun



If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation. You can make case payments online through Pennsylvania's Unified Judicial System web portal. Visit the portal at <http://ujsportal.pacourts.us> to make a payment.

MDJS 308

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FREE INTERPRETER

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I HAVE BEEN

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